

Response under 37 C.F.R. 1.102  
- Expedited Examining Procedure -  
Examining Group 1752

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**BOX AF**

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Docket 80867CPK

Customer No. 01333

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1700



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant's Application of:  
Xiqiang Yang, et al

**COLOR PHOTOTHERMOGRAPHIC  
ELEMENTS COMPRISING PHENOLIC  
THERMAL SOLVENTS**

Serial No. 09/858,398

Filed May 16, 2001

Commissioner for Patents  
Washington, D.C. 20231

Group Art Unit: 1752

Examiner: Thorl Chea

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*Robin DePoint*  
Robin DePoint

Date: *January 22, 2003*

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Transmitted herewith is an amendment in the above-identified application:

- ☒ No additional fee is required.  
☐ The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		* HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL		MINUS	20	0	X 18	\$ 0
INDEP		MINUS	3	0	X 84	\$ 0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM					+ 280	\$ 0
					<b>TOTAL</b>	<b>\$ 0</b>

\* The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

☐ Please charge my Eastman Kodak Company Deposit Account No. 05-0225 in the amount of \$ 0.  
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☒ Any additional filing fees required under 37 CFR 1.16.

☒ Any patent application processing fees under 37 CFR 1.17.  
(For Extensions of Time and other Petitions to the Assistant Commissioner)

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Attorney for Applicants  
Registration No. 30,721

Response under 37 C.F.R. 1.116  
- Expedited Examining Procedure -  
Examining Group 1752

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Customer No. 01333

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Xiqiang Yang, et al

COLOR PHOTOTHERMOGRAPHIC  
ELEMENTS COMPRISING  
PHENOLIC THERMAL SOLVENTS

Serial No. 09/858,398

Filed May 16, 2001

Group Art Unit: 1752

Examiner: Thorl Chea

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*Robin DePoint*  
Robin DePoint

*January 22, 2003*  
Date

Commissioner for Patents  
Washington, D.C. 20231

Sir:

**RESPONSE UNDER 37 CFR 1.116**

This is in response to the Office Action mailed October 22, 2002.

Claims 1 to 44 have been rejected and are presently pending.

In brief, the present invention is directed to a color  
photothermographic film containing a thermal solvent for promoting development  
in a dry or substantially dry process in the absence of thermal dye transfer, which  
thermal solvent comprises a phenolic ring as represented by the claimed structure.

Favorable reconsideration of the application in view of the  
following remarks is respectfully requested.

**Rejection of Claims 1 to 44 under 35 U.S.C. 112:**

Claims 1 to 44 have been rejected under 35 U.S.C. 112, first  
paragraph, as containing subject matter which was not described in the  
specification in such a way as to reasonably convey to one skilled in the art that  
the inventors had possession of the claimed invention at the time the application  
was filed. The Examiner states that the specification as originally filed fails to  
provide support for the language "for promoting development in a dry or  
substantially dry process in the absence of thermal dye transfer." The Examiner  
refers to the following previous statements by Applicants:



*9/10/03*

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